

**FILED**

**NOV 12 2013**

Clerk, U.S. District Court  
District Of Montana  
Helena

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**BILLINGS DIVISION**

DESIRAE DANIELLE PARKER,

Plaintiff,

vs.

MONTANA BOARD OF PARDONS  
& PAROLE and MIKE MCKEE,

Defendants.

No. CV-13-127-BLG-SEH

**ORDER**

United States Magistrate Judge Carolyn Ostby entered her Findings and Recommendations<sup>1</sup> on October 17, 2013. No objections were filed. No review is required of proposed findings and recommendations to which no objection is made. Thomas v. Arn, 474 U.S. 140, 149-152 (1986). However, this Court will review Judge Ostby's Findings and Recommendations for clear error.

Upon review, I find no clear error in Judge Ostby's Findings and Recommendations and adopt them in full.


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<sup>1</sup> Doc. 5.

ORDERED:

1. Plaintiff's Complaint is DISMISSED with prejudice for failure to state a claim upon which relief may be granted.
2. The filing of this action counts as one strike for failure to state a claim. 28 U.S.C. § 1915(g).
3. Any appeal from this disposition would not be taken in good faith as Plaintiff's claims are frivolous. Fed. R. App. P. 24(a)(3)(A).
4. The Clerk is directed to enter judgment accordingly.

DATED this 12<sup>th</sup> day of November, 2013.

  
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SAM E. HADDON  
United States District Judge